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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION
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10 DARRELL MATHIEU,

11 Plaintiff,

12 vs.

13 EXPERIAN INFORMATION SOLUTIONS,
INC., et. al.,

14 Defendants.

Case No. 5:15-cv-03053-EJD

**PLAINTIFF'S AMENDED NOTICE OF
VOLUNTARY DISMISSAL OF
DEFENDANT WELLS FARGO BANK,
N.A. PURSUANT TO FEDERAL RULE
OF CIVIL PROCEDURE 41(A)(1)**

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16 **PLEASE TAKE NOTICE** that Plaintiff Darrell Mathieu, pursuant to Federal rule of Civil
17 Procedure 41(a)(1), hereby voluntarily dismisses Defendant Wells Fargo Bank, N.A., with
18 prejudice, as to all claims in this action.

19 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

20 41(a) Voluntary Dismissal.

21 (1) By the Plaintiff.

22 (a) *Without a Court Order.* Subject to Rules 23(3), 23.1(c), 23.2, and 66 and
23 any applicable federal statute, the plaintiff may dismiss an action without a
24 court order by filing:

25 (1) a notice of dismissal before the opposing party service either an
26 answer or a motion for summary judgment.

27 Defendant Wells Fargo Bank, N.A. has neither answered Plaintiff's Complaint, nor filed a
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1 motion for summary judgment. Accordingly, the matter may be dismissed against it, with
2 prejudice, for all purposes and without an Order of the Court.

3 This Order terminated docket item number 21.

4 DATED: September 14, 2015

SAGARIA LAW
A Professional Corporation

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7 By: /s/Elliot W. Gale
Elliot W. Gale

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9 Attorneys for Plaintiff Darrell Mathieu
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